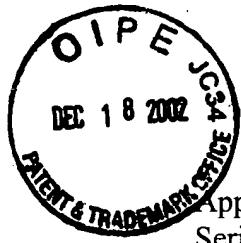


3739  
#10

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Hugh R. Sharkey et al.      Art Unit : Unknown  
 Serial No. : 09/895,609      Examiner : Unknown  
 Filed : June 29, 2001  
 Title : SURGICAL INSTRUMENT HAVING DISTAL FACE WITH FIRST AND  
         SECOND ELECTRODES

Commissioner for Patents  
 Washington, D.C. 20231

RE-SUBMISSION OF REVOCATION AND NEW POWER OF ATTORNEY

On October 18, 2002, applicants submitted the enclosed Revocation and New Power of Attorney referencing the above-identified application.

Although the undersigned has learned by telephone that the power of attorney may have been processed, no written confirmation has yet been received of our appointment. Accordingly, for the convenience of the U.S. Patent and Trademark Office, applicants are re-submitting the Revocation and New Power of Attorney and respectfully request written acknowledgement of the change in power of attorney for this application.

Form PTO/SB/122 changing the correspondence address for this case is being filed concurrently.

Please also return a date-stamped copy of the enclosed postcard and apply any charges or credits to Deposit Account No. 06-1050.

Respectfully submitted,

12/18/02

Date: \_\_\_\_\_

Brian J. Dorini  
 Reg. No. 43,594

Fish & Richardson P.C.  
 1425 K Street, N.W.  
 11th Floor  
 Washington, DC 20005-3500  
 Telephone: (202) 783-5070  
 Facsimile: (202) 783-2331

40134262.doc

RECEIVED  
 DEC 19 2002  
 IC 3700 MAIL ROOM



THE UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents  
Washington, D.C. 20231

REVOCATION AND NEW POWER OF ATTORNEY

Under 37 CFR §3.73(b) ORATEC INTERVENTIONS, INC., a Delaware corporation, certifies that it is the assignee of 100% of the right, title and interest in the sixty-two (62) patents and patent applications listed on the attached Appendix (Table) by virtue of assignments from the inventors of the patents and patent applications. The assignments for all but one of the sixty-two (62) patents and patent applications were recorded in the Patent and Trademark Office at Reel and Frame numbers provided in the Appendix (Table). The executed assignment for patent application serial number 09/286,271 was not recorded and is, therefore, included with this submission.

The undersigned, whose title is supplied below, is empowered to act on behalf of the assignee.

The undersigned, acting on behalf of the assignee, hereby revokes all powers of attorney previously granted in the applications and appoints:

Peter J. Devlin, Reg. No. 31,753; John F. Hayden, Reg. No. 37,640; Scott R. Boalick, Reg. No. 42,337; Andrew F. Bodendorf, Reg. No. 39,537; Diana DiBerardino, Reg. No. 45,653; Brian J. Dorini, Reg. No. 43,594; Harold H. Fox, Reg. No. 41,498; William D. Hare, Reg. No. 44,739; Joseph F. Key, Reg. No. 44,827; Phyllis K. Kristal, Reg. No. 38,524; Heather Morin, Reg. No. 37,336; W. Karl Renner, Reg. No. 41,265; Shailaja M. Shirodkar, Reg. No. 50,171; Gregory A. Walters, Reg. No. 41,366; R. Whitney Winston, Reg. No. 44,432; Joel R. Petrow, Reg. No. 30,866; Earl Douglas, Reg. No. 31,723; George K. Stacey, Reg. No. 35,688; and Bill Clemons, Reg. No. 32,558.

FISH & RICHARDSON P.C.  
1425 K Street, N.W.  
11th Floor  
Washington, DC 20005-3500

RECEIVED  
DEC 30 2002 MAIL ROOM  
with full power of substitution and revocation, to prosecute the patent applications and to transact all business in the United States Patent and Trademark Office connected with the patents and patent applications.

Per 37 C.F.R. § 10.18(b), the undersigned has reviewed all the documents in the chain of title of the patents and patent applications listed on the attached Appendix (Table), or made an inquiry reasonable under the circumstances, and, to the best of undersigned's knowledge and belief, title is in the assignee identified above.

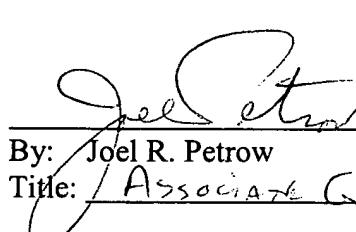
All correspondence regarding the patents and patent applications should be sent to:

Joel R. Petrow  
Smith & Nephew, Inc.  
1450 Brooks Road  
Memphis, TN 38116

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the applications or any patents issued thereon.

Respectfully submitted,

Date: 4 Oct 02

  
By: Joel R. Petrow  
Title: Associate General Counsel  
ORATEC INTERVENTIONS, INC.  
3700 Haven Court  
Menlo Park, CA 94025

Fish & Richardson P.C.  
1425 K Street, N.W.  
11th Floor  
Washington, DC 20005-3500  
Telephone: (202) 783-5070  
Facsimile: (202) 783-2331